

REMARKS

Claims 1-9 are pending; and of these, independent claims 1 and 5 have been amended. In view thereof and the remarks below, reconsideration of the subject application is respectfully requested.

The Examiner has rejected Applicant's claims 1, 5 and 9 under 35 USC 103(a) as being unpatentable over the Oochi, et al. (U.S. Pub. No. 2005/0179779) published application in view of Yoshioka, et al. (U.S. Pat. No. 7,071,973) patent. The Examiner has rejected Applicant's claims 2, 3, 6 and 7 under 35 USC 103(a) as being unpatentable over the Oochi, et al. publication in view of the Yoshioka, et al. (U.S. Pat. No. 7,071,973) patent, and further in view of *Nerwin v. Erlichman* (168 USPQ 177, 179 (PTO Bd. Of Int. 1969) and *In re Japikse* (86 USPQ 70 (CCPA 1950). Applicant's claims 4 and 8 have been rejected under 35 USC 103(a) as being unpatentable over the Oochi, et al. publication in view of the Yoshioka, et al. (U.S. Pat. No. 7,071,973) patent, and further in view of the Yamada, et al. (U.S. Pat. No. 6,753,911) patent. Applicant has specifically amended independent claims 1 and 5 and with respect to these claims, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed.

Applicant's independent claim 1 has been amended to recite a lens apparatus comprising a lens, a stop blade which is adapted to change an area of a light-passing aperture, an optical filter which inserts and removes with respect to a region opposed to the light-passing aperture, a shutter blade which is adapted to open and close the light-passing aperture, and a lens holding member which (a) is arranged in the lens apparatus, (b) holds the lens, the stop blade, the optical filter and the shutter blade, and (c) is movable in the lens apparatus in an optical axis direction of the lens, wherein one or two members selected from the group consisting of the stop blade, the optical filter and the shutter blade is/are arranged at one end

side of the lens holding member and the other member selected from the group is arranged at the other end side of the lens holding member. Applicant's independent claim 5 has been similarly amended. Movement of the lens holding member is described at least at paragraphs [0029], [0030], [0031] and [0048] of Applicant's specification.

The constructions recited in Applicant's independent claims 1 and 5 are not taught or suggested by Oochi, et al., Yoshioka, et al., or any of the references applied to the claims, either when taken alone or in combination. More particularly, there is no teaching or suggestion of the feature of a lens apparatus comprising a lens holding member which (a) is arranged in the lens apparatus, (b) holds the lens, the stop blade, the optical filter and the shutter blade, and (c) is movable in the lens apparatus in an optical axis direction of the lens, in combination with the feature wherein one or two members selected from the group consisting of the stop blade, the optical filter and the shutter blade is/are arranged at one end side of the lens holding member and the other member selected from the group is arranged at the other end side of the lens holding member. As now further clarified, the combination of such features in reciting (1) the relative movement of the lens holding member in the lens apparatus, and (2) the positioning of the stop blade, the optical filter and the shutter blade with respect to the holding member provides for a lens barrel of reduced size since the stop blade, the optical filter and the shutter blade are not grouped together on one side of the holding member. Such an advantage is specifically expressed in paragraph [0083] of Applicant's specification.

In the Examiner's rejection, the Examiner equates the lens part 11 in Oochi, et al. to Applicant's claimed lens holding member. However, the lens part 11 houses all the lens elements, i.e., the lenses (31, 33), the diaphragm 34, the shutter 35, the filter 33 and the respective drives 41-45. Accordingly, it is not a lens holding member arranged within a lens apparatus. Moreover, it is not and can not be a lens holding member movable in a lens

apparatus. Applicant's amended claims, which recite such features, thus now clearly patentably distinguish over Oochi, et al.

Moreover, the newly cited Yoshioka, et al. reference fails to make up for these deficiencies in Oochi, et al. The Examiner has stated that Yoshioka, et al., "disclose[] a digital camera with a taking lens 301 that is a zoom lens that moves in the direction of the optical axis to retract the lens barrel 3011 into the camera body when not in use (see column 5, line 58 to column 6, line 10). The taking lens 301 comprises a stop 3105, lens units 3102 and 3103 and a ND filter 3107 (see column 6, lines 11-15)". The Examiner then concludes that "[i]t would have been obvious to one of ordinary skill in the art . . . to modify Oochi, et al. . . . in view of Yoshioka et al. . . . to have the lens holding member is movable in an optical axis direction of the lens apparatus, in order to retract the lens barrel into the camera when not in use to protect it and make the device smaller and easier to carry to store".

It is evident from the Examiner's argument the Examiner is equating the lens barrel 3011 in Yoshioka, et al. to the lens part 11 in Oochi, et al., since the lens barrel contains all the lens elements as does the lens unit 11. Following the Examiner's argument, therefore, application of the teachings of Yoshioka, et al. to Oochi, et al. would result in a structure in which the lens unit 11 would be movable in the optical axis direction. However, the lens unit 11 so modified would again not be a lens holding member arranged in a lens apparatus, since the lens unit 11 is not arranged within any such lens apparatus. Nor would it, therefore, be a lens holding member movable in the lens apparatus.

Applicant's amended claims 1 and 5, and their respective dependent claims, in reciting a lens apparatus comprising a lens holding member which (a) is arranged in the lens apparatus, (b) holds the lens, the stop blade, the optical filter and the shutter blade, and (c) is movable in

the lens apparatus in an optical axis direction of the lens, in combination with the other elements of the claims, thus patentably distinguish over Oochi, et al. and Yoshioka, et al.

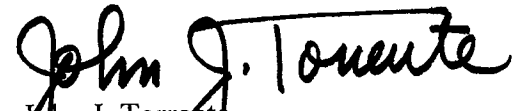
Each of the remaining references fail to add anything, either when taken alone or in combination with Oochi, et al. and Yoshioka, et al., to teach or suggest Applicant's invention as recited in the amended claims.

In view of the above, it is submitted that Applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

Dated: May 27, 2008

Respectfully submitted,

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